IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Hurbert Koch	Confirmation No.: 6888
Serial No.	:	09/719,900	
Filed	:	December 18, 2000	
TC/A.U.	:	1742	
Examiner	:	S. Ip	
Docket No.	:	00-726	
Customer No.	:	34704	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ARGUMENT SUBSEQUENT TO PERSONAL INTERVIEW

Dear Sir:

Applicant wishes to thank examiner Ip for the courtesies extended during a personal hearing held with the undersigned at the U.S. Patent and Trademark Office on November 17, 2004. During the above noted personal interview, the amended claims submitted in Applicant's preliminary amendment filed with the RCE application were discussed in detail. Applicant presented arguments regarding the criticality of the beryllium and vanadium contents vis-à-vis dross formation and the benefit of the present invention over the prior art. Examiner Ip indicated that the claims as amended in the Preliminary amendment appeared to define over the prior art of record in a patentable manner. However, Examiner Ip requested that the undersigned submit the arguments presented at the oral hearing in a formal paper. Accordingly, the arguments for patentability are presented hereinbelow.

The claims currently pending set forth the critical content of beryllium and vanadium in the melt of the aluminum alloy in accordance with the process claimed. The beryllium content is from 25 to 50 ppm and the vanadium content is between 0.02 to 0.08 wt. %. As can be seen from batches 3, 4, 5 and 6 as shown

in Table 2 of the instant specification, the formation of dross in the melt of the aluminum alloy and the present invention having the critical beryllium and vanadium contents is greatly reduced. The criticality of the beryllium and vanadium contents are not suggested by the prior art. The advantages obtained by the present invention are clear. As noted in the last paragraph of Page 1 of the instant specification, it is known that high levels of beryllium does reduce the formation of dross in aluminum alloy melts; however, it is also pointed out that beryllium is undesirable in that it is a carcinogenic and should be avoided if at all possible. The present invention accomplishes that object. By providing vanadium in the amounts claimed beryllium content can be greatly reduced while at the same time prohibiting dross formation in the aluminum alloy melt. The foregoing is clearly an advantage over the prior art and it is unexpected that dross formation can be reduced in an aluminum alloy melt with such a small beryllium content.

The foregoing arguments were presented to Examiner Ip at the oral hearing held on November 17, 2004. It is believed that the claims as currently pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

Hurbert Koch

By _____

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Date: November 18, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on November 18, 2004.

Rachel Piscitelli